

3 Your Michigan Driving Record

Michigan maintains a driving record for every driver. The driving record contains information the Secretary of State is required to maintain, such as moving violations, traffic crashes, and alcohol-related convictions. Drivers with unsatisfactory records may be required to attend a driver reexamination, face possible loss of their license, and pay reinstatement fees. Safe drivers benefit by having a reduced risk of traffic crashes and serious injury, as well as lower insurance rates. Driving safely in Michigan matters.

Driving is a privilege. Once you obtain a driver's license, you must continually show that you have the skill and knowledge to drive safely, or your driver's license may be restricted, suspended, or revoked. The Secretary of State has access to accident information reported by law enforcement, and convictions for moving violations and certain drug violations from the courts. The Secretary of State is also notified of any traffic crashes, convictions, and findings of responsibility in other states. Convictions from other states will appear on your Michigan driving record.

Most convictions stay on your driving record for at least seven years. Certain convictions and licensing actions stay on your driving record for at least 10 years.

Under Michigan's Driver Privacy Protection Act, personal information on your driving record is private and is not released to the general public unless there is a permissible use as prescribed by law. Some examples of permissible uses include insurance rating, automobile recalls, and driver verification for car rental companies. Personal information includes your name, address, driver's license number, and similar information. Your driving record also contains information about at-fault crashes, as well as any civil or criminal moving violations you may have.

Traffic Tickets

When a uniformed law enforcement officer driving an official police vehicle signals you to stop, you must pull out of traffic and stop safely as soon as possible. The officer may stop you for a variety of reasons. You may be receiving an emergency message, the officer may believe you committed a violation, your vehicle may match the description of a stolen vehicle, or it may have defective equipment. You must be able to show your driver's license, vehicle registration, and proof of insurance to the officer.

Michigan's Point System

Under Michigan law, some traffic violations are civil infractions while others are misdemeanors or felonies. Depending on the violation and how it is resolved, you may be fined, referred to a special program or, in the most serious situations, sent to jail. In most cases, if you do not take care of a traffic ticket, your driver's license will be suspended.

Each time you are convicted of a traffic violation, you will have to pay certain court fines and costs. In addition, points may be posted to your driving record. Under Michigan's point system, each traffic violation has a point value, which is set by law in the *Michigan Vehicle Code*. Points are placed on your driving record only after you have been convicted or found guilty of, or responsible for, a civil infraction. Points placed on your driving record remain there for two years from the date of conviction. If you believe there are extenuating circumstances for the ticket you received, these must be submitted when you appear in court. The Secretary of State cannot set aside a court conviction or the points for it. The following shows the points for some traffic violations.

Points For Some Traffic Convictions*

Six Points:

- Manslaughter, negligent homicide, or other felony involving use of a motor vehicle.
- Operating while intoxicated or operating with any presence of a Schedule 1 drug or cocaine.

- Failing to stop and give identification at the scene of a crash.
- Reckless driving.
- Refusal to take a chemical test.
- Fleeting or eluding a police officer.
- Failure to yield causing death or injury of emergency responder, construction worker or person operating implements of animal husbandry.

Four Points:

- Drag racing.
- Impaired driving.
- Under age 21 with any bodily alcohol content.
- 16 mph or more over the legal speed limit.
- Failure to yield/show due caution for emergency vehicles.

Three Points:

- Careless driving.
- Disobeying a traffic signal or stop sign or improper passing.
- 11 through 15 mph over the legal speed limit.
- Failure to stop at railroad crossing.
- Failure to stop for a school bus or for disobeying a school crossing guard.

Two Points:

- 10 mph or less over the legal speed limit.
- Open alcohol container in vehicle.
- All other moving violations of traffic laws.
- Refusal of Preliminary Breath Test (PBT) by anyone under age 21.

*Please note that snowmobile and off-road vehicle (ORV) alcohol-conviction points are placed on a driving record and may result in licensing action against your driving privileges even though the violation happened while operating a snowmobile or ORV. More information is provided in Section 11, on pages 106-109.

Michigan's Driver Responsibility Law

In an effort to promote greater traffic safety, Michigan enacted the driver responsibility law to deter potentially dangerous driving behavior, thereby saving lives. The law calls for monetary sanctions for drivers who accumulate seven or more points on their driving records due to Category 1 offenses, or are convicted of Category 2 (qualifying) offenses.

For more information about the driver responsibility law, please visit the department's Web site.

Obtaining a Copy of Your Driver Record

To obtain a copy of your driving record, submit the form *Requesting Your Own Record* BDVR-153, to the Michigan Department of State Record Lookup Unit. Forms are available at branch offices, from the Secretary of State Web site, and the Record Lookup Unit. Driving records cannot be purchased at a branch office. A fee will be charged for each copy you request. Please contact the Record Lookup Unit at:

**Michigan Department of State
Record Lookup Unit
7064 Crowser Drive
Lansing, MI 48918-1540
Telephone: (517) 322-1624
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